

CHAPTER NO. 1

SENATE BILL NO. 16

By Cooper

Substituted for: House Bill No. 11

By Phillips, Fowlkes

AN ACT Relative to the authorization of an advisory referendum on the subject of hospital construction, in Lincoln County.

WHEREAS, Lincoln County, Tennessee is the owner, and by and through a committee appointed by said legislative body known as the Lincoln County Health Facility Committee, owns and operates a county hospital known as the "Lincoln Regional Hospital" which hospital is located in the City of Fayetteville; and

WHEREAS, Due to a small, landlocked site, and limited parking, together with the obsolescence and deterioration of the physical plant, said legislative body at a June 22, 1998 meeting authorized Lincoln County to enter into a contract or agreement with the Industrial Development Board of the City of Fayetteville and Lincoln County, which contract is dated August 1, 1998, and which allows for the construction and equipping of a new hospital to be located on land owned by Lincoln County; and

WHEREAS, Pursuant to agreement of the parties, the Industrial Development Board of the City of Fayetteville and Lincoln County has caused to be issued hospital bonds in the amount of \$15,000,000.00 said funds along with \$4,000,000.00 furnished by Lincoln County Hospital were to be used for the purchase of a building site and for the construction of a new hospital to be placed on said building site, all of which had the approval of Lincoln County legislative body, the Industrial Development Board of the City of Fayetteville and Lincoln County, and the Lincoln County Health Facility Committee; and

WHEREAS, A building site has been purchased at a cost of \$646,650.00 and all other funds are now held in a special account by the First Tennessee Bank National Association, as Trustee; and

WHEREAS, Following the August 6, 1998 general election and the resulting change in the membership of the Board of County Commissioners of Lincoln County and the Lincoln County Health Facilities Committee, many members of this board and committee questioned whether it is advisable for Lincoln County to proceed with the construction of a new hospital; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The county legislative body of Lincoln County, Tennessee, by resolution is authorized to direct the county election commission to call an election for an advisory referendum, to be held in the regular election or in a special election, for the purpose of determining the will and wishes of a majority of the qualified voters of Lincoln County, Tennessee, participating in such election on the question of whether or not the Industrial Development Board of the City of Fayetteville and Lincoln County and the county government of Lincoln County should proceed with the building and equipping of a new hospital to be located in Lincoln County on real estate owned by Lincoln County, Tennessee and purchased for this purpose.

SECTION 2. The Lincoln County Election Commission shall hold such election at the earliest possible date in conformity with the general election laws of the State of Tennessee. The single issue shall be presented on the ballot as follows:

For the building and equipping of a new hospital _____
Against the building and equipping of a new hospital _____

SECTION 3 The ballots used in the advisory referendum election shall have printed on them the text required in Section 2 and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the Secretary of State as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this act. The cost of the election shall be paid by Lincoln County.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Lincoln County. Its approval or nonapproval shall be proclaimed by the presiding officer of Lincoln County and certified to the Secretary of State.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it.

PASSED: January 16,1999


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 25th day of January 1999


DON CONQUIST, GOVERNOR